

**NOTIFICATION OF ENHANCEMENT – PROVIDING TOBACCO TO MINORS**

Defendant: \_\_\_\_\_, Case No. \_\_\_\_\_

**ELEMENTS / ENHANCEMENT / PENALTIES**

76-10-104(1): Any person who knowingly, intentionally, recklessly, or with criminal negligence provides any cigar, cigarette, or tobacco in any form, to any person under 19 years of age, is guilty of a class C misdemeanor on the first offense, a class B misdemeanor on the second offense, and a class A misdemeanor on subsequent offenses. (2) For purposes of this section "provides": (a) includes selling, giving, furnishing, sending, or causing to be sent; and (b) does not include the acts of the United States Postal Service or other common carrier when engaged in the business of transporting and delivering packages for others or the acts of a person, whether compensated or not, who transports or delivers a package for another person without any reason to know of the package's content.

**Minimum / Maximum Sentences**

Class C Misdemeanor: 0 days to 90 days jail; \$0 to \$1,052.50 fines and surcharges

Class B Misdemeanor: 0 days to 6 months jail; \$0 to \$1,890 fines and surcharges

Class A Misdemeanor: 0 days to 1 year jail; \$0 to \$4,658 fines and surcharges

*I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant